

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MICHAEL YOUNG,

Petitioner,

v.

ORDER
06-C-555-S

DOCTOR ROBERT F. WATSON and
JACKIE OLSTEAD,

Respondents.

Petitioner requests leave to proceed in forma pauperis. Attached to his affidavit of indigency is a proposed complaint.

Petitioner alleges that he was mistreated by respondents Doctor Watson and Jackie Olstead. To state a claim under 42 U.S.C. § 1983 petitioner must allege that an individual acting under color of state law violated his constitutional rights. Petitioner had not alleged that either respondent was acting under color of state law. Accordingly, petitioner's request to proceed in forma pauperis will be dismissed and denied without prejudice.

Petitioner is advised that in any future proceedings in this matter he must offer argument not cumulative of that already provided to undermine this Court's conclusion that his claim must be dismissed. See Newlin v. Helman, 123 F.3d 429, 433 (7th Cir. 1997).

Young v. Watson, et al., 06-C-555-S

ORDER

IT IS ORDERED that petitioner's request to proceed in forma pauperis is DENIED and DISMISSED without prejudice.

Entered this 3rd day of October, 2006.

BY THE COURT:

S/

JOHN C. SHABAZ
District Judge